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PTO/SB/21 (09-06)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/855,819
Filing Date	May 14, 2001
First Named Inventor	Donald Robert Martin Boys
Art Unit	2616
Examiner Name	Qureshi, Afsar M.
Attorney Docket Number	115480-148837

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Robert C. Peck		
Date	October 18, 2006	Reg. No.	56,826

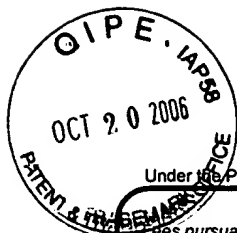
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Signature			
Typed or printed name	Yvette L. Chriscaden	Date	October 18, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (07-06)

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

500

Complete if Known

Application Number	09/855,819
Filing Date	May 14, 2001
First Named Inventor	Donald Robert Martin Boys
Examiner Name	Qureshi, Afsar M.
Art Unit	2616
Attorney Docket No.	115480-148837

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 500393 Deposit Account Name: Schwabe, Williamson et al

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims		
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims		
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Appeal Brief - \$500

Fees Paid (\$)

500

SUBMITTED BY

Signature

Registration No. 56,826
(Attorney/Agent)

Telephone 503-222-9981

Name (Print/Type) Robert C. Peck

Date October 18, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Docket No.: 115480-148837

MAIL STOP: APPEAL BRIEF-PATENTS

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By: Yvette L. Chriscaden Date: October 18, 2006
Yvette L. Chriscaden

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

App. No. : 09/855,819 Confirmation No.: 9684
Inventor : Donald Robert Martin Boys
Filed : May 14, 2001
Title : MOBILE WIRELESS INTERNET PORTABLE RADIO
Art Unit : 2616
Examiner : Qureshi, Afsar M.
Customer No. : 25,943

MAIL STOP: APPEAL BRIEF-PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**APPELLANT'S BRIEF IN SUPPORT OF APPELLANT'S APPEAL
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

This appeal furthers the Notice of Appeal filed on September 1, 2006. The appeal arises from a final decision by the Examiner in the final Office Action, dated April 14, 2006. The final decision was in response to arguments filed on January 10, 2006, in response to an earlier office action, mailed October 19, 2005.

Appellant submits this *Brief on Appeal*, including payment in the amount of \$500.00 to cover the fee for filing the *Brief on Appeal*. Appellant respectfully requests

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consideration of this appeal by the Board of Patent Appeals and Interferences for allowance of the present patent application.

Real Party in Interest:

The Real Party in Interest is Lonecraft Limited, LLC of Wilmington, DE, assignee of the application by virtue of two unrecorded assignments, one from the individual inventor Donald Robert Martin Boys and the other from Soundstarts, Inc. et al. which held title under an assignment recorded at Real 017007 Frame 0722; a copy set of the unrecorded assignments is included with this Appeal Brief as an attachment. The assignments were executed on December 7, 2005 and December 13, 2005. Assignee Lonecraft Limited is in the process of recording the assignments.

Related Appeals and Interferences:

To the best of Appellant's knowledge, there are no related appeals or interference proceedings currently pending, which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

Status of Claims:

Appellant appeals the rejection of claims 38-49, which were rejected in the final Office Action dated April 14, 2006. Claims 38-49 are reproduced, as pending, in Appendix A.

Status of Amendments:

Appellants have offered no amendments subsequent to the Examiner's final rejection.

Summary of the Claimed Subject Matter:

Independent claim 38 is directed towards *a web browser application for an Internet-connectable audio-player device* that comprises:

“a mechanism for invoking a Universal resource Locator (URL) of an accessible site on the Internet; and
functionality for reading embedded code in the site to find a link to downloadable audio content;
wherein the browser determines a link is a link to downloadable audio content by presence of code for initiating an audio player application.”

Figure 1 illustrates one example of an Internet-connected wireless mobile-radio-broadcast system having a user 41, the user having an audio-player device including a web browser application as recited by claim 38. Figure 1 is described in detail on page 7, line 17 through page 10, line 13, in accordance with some embodiments. Figure 2 illustrates one example of an Internet-connectable audio-player device including a web browser application as recited by claim 38. Figure 2 is described in detail on page 10, line 14 through page 14, line 20, in accordance with some embodiments. Figure 4 illustrates one example of a block diagram of the software capability of an audio-player device, including a browser 103, as recited by claim 38. Figure 4 is described in detail on page 16, line 20 through page 21, line 5, in accordance with some embodiments.

Independent claim 44 is directed towards *a method for finding and invoking live audio data streams associated with links on a Web site* that comprises

“(a) invoking a Universal resource Locator (URL) of an accessible site on the Internet from an Internet-connectable audio-player device;
(b) upon accessing the accessible site, reading embedded code in the site to find a link to downloadable audio content; and
(c) determining a link is a link to downloadable audio content by presence of code for initiating an audio player application.”

Figure 1 illustrates one example of an Internet-connected wireless mobile-radio-broadcast system having a user 41, the user having an audio-player device including a

web browser application capable of performing the operations recited by claim 44. Figure 1 is described in detail on page 7, line 17 through page 10, line 13, in accordance with some embodiments. Figure 2 illustrates one example of an Internet-connectable audio-player device including a web browser application capable of performing the operations recited by claim 44. Figure 2 is described in detail on page 10, line 14 through page 14, line 20, in accordance with some embodiments. Figure 4 illustrates one example of a block diagram of the software capability of an audio-player device, including a browser 103 capable of performing the operations recited by claim 44. Figure 4 is described in detail on page 16, line 20 through page 21, line 5, in accordance with some embodiments.

Grounds For Rejection To Be Argued On Appeal:

- I. Claims 38-41, 43-47, and 49 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,349,329 to *Mackintosh et al.* (hereinafter "Mackintosh").
- II. Claims 42 and 48 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,349,329 to *Mackintosh et al.* (hereinafter "Mackintosh") in view of U.S. Patent No. 6,012,086 to *Lowell* (hereinafter "Lowell").

Arguments:

- I. Rejection of claims 38-41, 43-47, and 49 under 35 U.S.C. §102(e) was improper because Mackintosh failed to teach each and every limitation.

It is well settled that anticipation under 35 U.S.C. §102 requires the disclosure in a signal piece of prior art to teach **each and every** limitation of a claimed invention. *Electro Med. Sys. S.A. v. Cooper Life Sciences*, 34 F.3d 1048, 1052, 32 USPQ2d 1017, 1019 (Fed. Cir. 1994). MPEP 2131 states, "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM" and "a claim is anticipated only if each and every element as set forth in the claim is found, either

expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Furthermore, anticipation requires that each claim element must be identical to a corresponding element in the applied reference. *Glaverbel Société Anonyme v. Northlake Mktg & Supply, Inc.*, 45 F.3d 1550, 1554 (Fed. Cir. 1995). Thus, to anticipate the present invention, Mackintosh must disclose every element recited in the pending claims.

Claim 38 recites a "Web browser application for an Internet-connectable audio-player device, comprising:

a mechanism for invoking a Universal resource Locator (URL) of an accessible site on the Internet; and

functionality for reading embedded code in the site to find a link to downloadable audio content;

wherein the browser determines a link is a link to downloadable audio content by presence of code for initiating an audio player application."

In contrast, Mackintosh merely teaches a method for providing supplemental material to include with broadcast material. The broadcast material of Mackintosh may, for example, comprise a radio-broadcast delivered from a service provider to a user terminal via the Internet. Program data, such as a song identification or type, or radio station identification, may be provided to the user terminal along with the radio broadcast. Upon receiving the broadcast material and program data, the user terminal may provide the user with the broadcast material and may use the program data to retrieve information, such as a URL, pertaining to supplemental materials from a data server. The data server may use the program data to determine a URL identifying a location from where the user terminal may retrieve supplemental materials. The supplemental materials may include images, videos, audios, text or other data, which may be played/displayed to the user concurrently with the broadcast material. The data

server may then provide the URL to the user terminal, which may use the URL to retrieve the supplemental material.

Even assuming for the sake of argument that the data server of Mackintosh reads on “an accessible site on the Internet,” Mackintosh fails entirely to disclose, expressly or inherently, “reading embedded code” in the data server to find “a link to downloadable audio content” and determining that the “link is a link to downloadable audio content by presence of code for initiating an audio player application.”

Mackintosh simply does not disclose the reading of embedded codes. The user terminal of Mackintosh does not read anything on the data server, much less read embedded codes. The user terminal merely provides information and receives information. Further, even if the functionality is implemented as a distributed process, with the data server performing the read operation, Mackintosh still fails to disclose “reading embedded code,” as is claimed in claim 38. The data server of Mackintosh simply reads data to determine a URL. Nothing in Mackintosh discloses, expressly or inherently, the reading of “embedded codes,” by the data server.

Even assuming for the sake of argument that providing program data and receiving a URL somehow reads on reading embedded codes to find a link (a point with which Applicant vigorously disagrees), Mackintosh fails to disclose, expressly or inherently, determining that the URL/link is a link to downloadable audio content by presence of code for initiating an audio player application. Mackintosh does not teach any sort of determination regarding what type of supplemental material the URL links to, much less a determination based on the “presence of code for initiating an audio player application.” Nothing in Mackintosh even discusses looking for audio player application initialization codes, or using such codes in any fashion.

Accordingly, Mackintosh fails to anticipate at least the required recitations of claim 38 of “functionality for reading embedded codes in the site to find a link to

downloadable audio content” and determining “a link is a link to downloadable audio content by presence of code for initiating an audio player application.” Since §102 rejections require clear, unequivocal anticipation of the required limitations, and Mackintosh fails to meet this standard, claim 38 is patentable over Mackintosh.

Claim 44 includes language similar to that of claim 38, directed to a method of the present invention. Accordingly, claim 44 is patentable over Mackintosh for at least the same reasons as claim 38.

Furthermore, claims 39-41, 43, 45-47, and 49 depend from claims 38 and 44, incorporating their limitations, respectively. Therefore, claims 39-41, 43, 45-47, and 49 are patentable over Mackintosh for at least the same reasons as claims 38 and 44.

- II. Rejection of claims 42 and 48 under 35 U.S.C. §103(a) was improper because Mackintosh and Lowell, alone or in combination, fail to teach or suggest the claimed invention when the invention as claimed in claims 42 and 48 is viewed as a whole.

As stated above, Mackintosh fails to teach or suggest required, recited operations of the present invention, as claimed in claims 38 and 44. Lowell fails to cure these deficiencies. Accordingly, for at least the foregoing reasons, claims 38 and 44 are patentable over Mackintosh and Lowell, individually or in combination, under 35 U.S.C. § 103(a).

Claims 42 and 48 depend from claims 38 and 44, respectively, incorporating their limitations. Consequently, for at least the same reasons, claims 42 and 48 are patentable over Mackintosh and Lowell, individually or in combination, under 35 U.S.C. § 103(a).

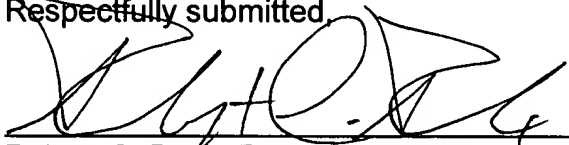
Conclusion

Appellant respectfully submits that all the appealed claims in this application are patentable and requests that the Board of Patent Appeals and Interferences overrule the Examiner and direct allowance of the rejected claims.

This brief is submitted with Check Number 14220 for \$500.00 to cover the filing of appeal brief. We do not believe any additional fees, in particular extension of time fees, are needed. However, should that be necessary, please charge our deposit account 500393. In addition, please charge any shortages and credit any overages to Deposit Account No. 500393.

Date: October 18, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. C. Peck', is written over a horizontal line.

Robert C. Peck, Reg. No. 56,826
Agent for Appellant Applicant

Schwabe Williamson & Wyatt, P.C.
1420 Fifth, Suite 3010
Seattle, WA 98101
Tel: (206) 622-1711
Fax: (206) 292-0460

Appendix A – Appealed Claims

38. (Previously Presented) A Web browser application for an Internet-connectable audio-player device, comprising:

a mechanism for invoking a Universal resource Locator (URL) of an accessible site on the Internet; and

functionality for reading embedded code in the site to find a link to downloadable audio content;

wherein the browser determines a link is a link to downloadable audio content by presence of code for initiating an audio player application.

39. (Previously Presented) The Web browser application of claim 38 wherein the audio-player device is an Internet radio.

40. (Previously Presented) The Web browser application of claim 38 wherein the audio-player device is a personal computer.

41. (Previously Presented) The Web browser application of claim 38 wherein, after determining a link is a link to downloadable audio content, the Web browser application invokes the link and downloads an audio stream provided at the destination of the link to the audio player device.

42. (Previously Presented) The Web browser application of claim 41 wherein the Web site comprises more than one link to downloadable audio content, and the browser invokes a first link and downloads audio content from the first link for a preprogrammed time period, then continues reading the embedded code for a second

link, and if a second link is found accesses the second link and downloads audio content from the second link for the preprogrammed time period.

43. (Previously Presented) The Web browser application of claim 41 wherein the link to downloadable audio content is a live broadcast radio audio stream offered over the Internet.

44. (Previously Presented) A method for finding and invoking live audio data streams associated with links on a Web site, comprising steps of:

- (a) invoking a Universal resource Locator (URL) of an accessible site on the Internet from an Internet-connectable audio-player device;

- (b) upon accessing the accessible site, reading embedded code in the site to find a link to downloadable audio content; and

- (c) determining a link is a link to downloadable audio content by presence of code for initiating an audio player application.

45. (Previously Presented) The method of claim 44 wherein the audio-player device is an Internet radio.

46. (Previously Presented) The method of claim 44 wherein the audio-player device is a personal computer.

47. (Previously Presented) The method of claim 44 wherein, after step (c) determining a link is a link to downloadable audio content, performing a step (d) invoking the link and downloading an audio stream provided at the destination of the link to the audio player device.

48. (Previously Presented) The method of claim 47 wherein the Web site comprises more than one link to downloadable audio content, and the browser invokes a first link and downloads audio content from the first link for a preprogrammed time period, then continues reading the embedded code for a second link, and if a second link is found accesses the second link and downloads audio content from the second link for the preprogrammed time period.

49. (Previously Presented) The method of claim 47 wherein the link to downloadable audio content is a live broadcast radio audio stream offered over the Internet.

Appendix B – Copies of Evidence Submitted

No evidence has been submitted under 37 C.F.R. 1.130, 1.131, or 1.132. No evidence entered by Examiner has been relied upon by Appellants in the appeal.

Appendix C – Related Proceedings

There are no related appeals or interference proceedings currently pending, which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

ASSIGNMENT OF PATENT RIGHTS DRMB

For good and valuable consideration, the receipt of which is hereby acknowledged, I, Donald Robert Martin Boys, an individual inventor, residing at 22173 Carlie Drive, Bella Vista, CA., 95004 ("Assignor"), does hereby sell, assign, transfer and convey unto Lonecraft Limited, LLC, a Delaware limited liability company, with a registered agent address at 2711 Centerville Road, Suite 400, Wilmington, DE 19808 ("Assignee"), or its designees, all right, title and interest that exist today and may exist in the future in and to all of the following (the "Patent Rights"): (a) the provisional patent applications, patent applications and patents listed below, (b) all patents or patent applications to which any of the foregoing claim priority, and (c) current or future rights to (i) provisional patent applications, patent applications, and patents of any kind relating to any inventions and discoveries described in any provisional patent applications, patent applications and patents listed below; (ii) reissues, reexaminations, extensions, continuations, continuations in part, continuing prosecution applications, and divisions of such patents and applications; and (iii) foreign counterparts to any of the foregoing, including, without limitation, certificates of invention, utility models, industrial design protection, design patent protection, and other governmental grants; (d) the rights to all inventions and discoveries described in any provisional patent application, patent application or patent listed below and all other rights arising out of such inventions and discoveries; (e) rights to apply in any or all countries of the world for patents, certificates of invention, utility models, industrial design protections, design patent protections or other governmental grants of any type related to the any of the foregoing categories (a), (b), (c) and (d), including, without limitation, under the Paris Convention for the Protection of Industrial Property, the International Patent Cooperation Treaty, or any other convention, treaty, agreement or understanding; (f) causes of action (whether currently pending, filed, or otherwise) and other enforcement rights, including, without limitation, all rights under the provisional patent applications, patent applications and patents listed below and/or under or on account of any of the foregoing categories (b), (c) and/or (d) to

- (i) damages,
- (ii) injunctive relief and
- (iii) other remedies of any kind

for past, current and future infringement; and

(g) all rights to collect royalties and other payments under or on account of any of the foregoing.

Patent or Application No.	Country	Filing Date	Title and Inventor(s)
(652) 6314094	US	10/29/1998	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>

Exhibit B

Patent or Application No.	Country	Filing Date	Title and Inventor(s)
(684) PCT/US99/25525	PCT	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1333) 99971619.4	EP	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1334) 741988	Australia	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1335) 2,348,573	Canada	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1336) 2000-580395	Japan	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1338) 09/855,819	US	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1341) 09/906,631	US	7/16/2001	Practicing IP telephony from an Internet-Capable Radio <i>Donald Robert Martin Boys</i>
(1375) 758163	Australia	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1414) PCT/US02/22639	PCT	7/15/2002	Practicing IP telephony from an Internet-Capable Radio <i>Donald Robert Martin Boys</i>
(1491) 02747040.0	EP	7/15/2002	Practicing IP telephony from an Internet-Capable Radio <i>Donald Robert Martin Boys</i>
(1491H) 04103212.2	Hong Kong	7/15/2002	Practicing IP telephony from

COPY

Exhibit B

Patent or Application No.	Country	Filing Date	Title and Inventor(s)
			an Internet-Capable Radio <i>Donald Robert Martin Boys</i>
(1998) 11/182,458	US	7/15/2005	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1999) 11/182,457	US	7/15/2005	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>

Assignor represents, warrants and covenants that:

(1) Assignor has the full power and authority, and has obtained all third party consents, approvals and/or other authorizations required, to enter into this Agreement, make the assignments, and to carry out its obligations under this Assignment of Patent Rights;

(2) Assignor owns 50% of the right, title, and interest to the Patent Rights, including, without limitation, all right, title, and interest to sue for infringement of the Patent Rights. Assignor has obtained and properly recorded previously executed assignments for the Patent Rights as necessary to fully perfect its rights and title therein in accordance with governing law and regulations in each respective jurisdiction. The Patent Rights are free and clear of all liens, claims, mortgages, security interests or other encumbrances, and restrictions. There are no actions, suits, investigations, claims or proceedings threatened, pending or in progress relating in any way to the Patent Rights. There are no existing contracts, agreements, options, commitments, proposals, bids, offers, or rights with, to, or in any person to acquire any of the Patent Rights.

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Assignor shall, at the reasonable request of Assignee and without demanding any further consideration therefore, do all things necessary, proper, or advisable, including without limitation the execution, acknowledgment and recordation of specific assignments, oaths, declarations and other documents on a country-by-country basis, to assist Assignee in obtaining, perfecting, sustaining, and/or enforcing the Patent Rights. Such assistance shall include providing, and obtaining from the respective inventors, prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, powers of attorney, specifications, declarations or other papers and other assistance reasonably necessary for filing patent applications, complying with any duty of disclosure, and

conducting prosecution, reexamination, reissue, interference or other priority proceedings, opposition proceedings, cancellation proceedings, public use proceedings, infringement or other court actions and the like with respect to the Patent Rights.

The terms and conditions of this Assignment of Patent Rights shall inure to the benefit of Assignee, its successors, assigns and other legal representatives, and shall be binding upon Assignor, its successor, assigns and other legal representatives.

IN WITNESS WHEREOF this Assignment of Patent Rights is executed at 10:20
AM on 12-07-05

ASSIGNOR

By: Donald Robert Martin Boys
Name: DONALD ROBERT MARTIN BOYS
Title: INDEPENDANT INVENTOR

(Signature MUST be notarized)

STATE OF CALIF)
) ss.
COUNTY OF SHASTA)

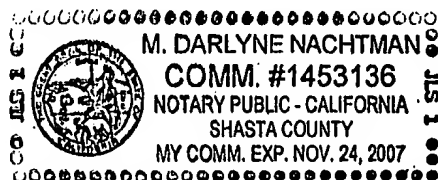
On 12/07/05, before me, M. DARLYNE NACHTMAN,

Notary Public in and for said State, personally appeared DONALD ROBERT MARTIN BOYS personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature M. Darlyne Nachtman (Seal)

(Seal)



ASSIGNMENT OF PATENT RIGHTS SOUNDSTARTS, INC.

For good and valuable consideration, the receipt of which is hereby acknowledged, SoundStarts, Inc, a California corporation, with an office at 380 Carpenteria Road, Aromas, CA, 95004 ("*Assignor*"), does hereby sell, assign, transfer and convey unto Lonecraft Limited, LLC, a Delaware limited liability company, with a registered agent address at 2711 Centerville Road, Suite 400, Wilmington, DE 19808 ("*Assignee*"), or its designees, all right, title and interest that exist today and may exist in the future in and to all of the following (the "*Patent Rights*"): (a) the provisional patent applications, patent applications and patents listed below, (b) all patents or patent applications to which any of the foregoing claim priority, and (c) current or future rights to (i) provisional patent applications, patent applications, and patents of any kind relating to any inventions and discoveries described in any provisional patent applications, patent applications and patents listed below; (ii) reissues, reexaminations, extensions, continuations, continuations in part, continuing prosecution applications, and divisions of such patents and applications; and (iii) foreign counterparts to any of the foregoing, including, without limitation, certificates of invention, utility models, industrial design protection, design patent protection, and other governmental grants; (d) the rights to all inventions and discoveries described in any provisional patent application, patent application or patent listed below and all other rights arising out of such inventions and discoveries; (e) rights to apply in any or all countries of the world for patents, certificates of invention, utility models, industrial design protections, design patent protections or other governmental grants of any type related to the any of the foregoing categories (a), (b), (c) and (d), including, without limitation, under the Paris Convention for the Protection of Industrial Property, the International Patent Cooperation Treaty, or any other convention, treaty, agreement or understanding; (f) causes of action (whether currently pending, filed, or otherwise) and other enforcement rights, including, without limitation, all rights under the provisional patent applications, patent applications and patents listed below and/or under or on account of any of the foregoing categories (b), (c) and/or (d) to

- (i) damages,
- (ii) injunctive relief and
- (iii) other remedies of any kind

for past, current and future infringement; and

(g) all rights to collect royalties and other payments under or on account of any of the foregoing.

Patent or Application No.	Country	Filing Date	Title and Inventor(s)
(652) 6314094	US	10/29/1998	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>

Exhibit B

Patent or Application No.	Country	Filing Date	Title and Inventor(s)
(684) PCT/US99/25525	PCT	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1333) 99971619.4	EP	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1334) 741988	Australia	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1335) 2,348,573	Canada	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1336) 2000-580395	Japan	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1338) 09/855,819	US	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1341) 09/906,631	US	7/16/2001	Practicing IP telephony from an Internet-Capable Radio <i>Donald Robert Martin Boys</i>
(1375) 758163	Australia	10/29/1999	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1414) PCT/US02/22639	PCT	7/15/2002	Practicing IP telephony from an Internet-Capable Radio <i>Donald Robert Martin Boys</i>
(1491) 02747040.0	EP	7/15/2002	Practicing IP telephony from an Internet-Capable Radio <i>Donald Robert Martin Boys</i>
(1491H) 04103212.2	Hong Kong	7/15/2002	Practicing IP telephony from

COPY

Exhibit B

Patent or Application No.	Country	Filing Date	Title and Inventor(s)
			an Internet-Capable Radio <i>Donald Robert Martin Boys</i>
(1998) 11/182,458	US	7/15/2005	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>
(1999) 11/182,457	US	7/15/2005	Mobile Wireless Internet Portable Radio <i>Donald Robert Martin Boys</i>

Assignor represents, warrants and covenants that:

(1) Assignor has the full power and authority, and has obtained all third party consents, approvals and/or other authorizations required, to enter into this Agreement, make the assignments, and to carry out its obligations under this Assignment of Patent Rights;

(2) Assignor owns 50% of the right, title, and interest to the Patent Rights, including, without limitation, all right, title, and interest to sue for infringement of the Patent Rights. Assignor has obtained and properly recorded previously executed assignments for the Patent Rights as necessary to fully perfect its rights and title therein in accordance with governing law and regulations in each respective jurisdiction. The Patent Rights are free and clear of all liens, claims, mortgages, security interests or other encumbrances, and restrictions. There are no actions, suits, investigations, claims or proceedings threatened, pending or in progress relating in any way to the Patent Rights. There are no existing contracts, agreements, options, commitments, proposals, bids, offers, or rights with, to, or in any person to acquire any of the Patent Rights.

Assignor hereby authorizes the respective patent office or governmental agency in each jurisdiction to issue any and all patents, certificates of invention, utility models or other governmental grants that may be granted upon any of the Patents Rights in the name of Assignee, as the assignee to the entire interest therein.

Assignor shall, at the reasonable request of Assignee and without demanding any further consideration therefore, do all things necessary, proper, or advisable, including without limitation the execution, acknowledgment and recordation of specific assignments, oaths, declarations and other documents on a country-by-country basis, to assist Assignee in obtaining, perfecting, sustaining, and/or enforcing the Patent Rights. Such assistance shall include providing, and obtaining from the respective inventors, prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, powers of attorney, specifications, declarations or other papers and other assistance reasonably necessary for filing patent applications, complying with any duty of disclosure, and

Exhibit B

conducting prosecution, reexamination, reissue, interference or other priority proceedings, opposition proceedings, cancellation proceedings, public use proceedings, infringement or other court actions and the like with respect to the Patent Rights.

The terms and conditions of this Assignment of Patent Rights shall inure to the benefit of Assignee, its successors, assigns and other legal representatives, and shall be binding upon Assignor, its successor, assigns and other legal representatives.

IN WITNESS WHEREOF this Assignment of Patent Rights is executed at UNION
CA on 12/13/05

ASSIGNOR

By: Mark A. Boys

Name: MARK A. BOYS

Title: CEO SOUND STARS, INC
PAES +
(Signature MUST be notarized)

STATE OF California
COUNTY OF Santa Cruz ss.

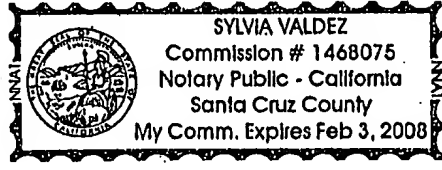
On Dec 13, 2005 before me, Sylvia Valdez

Notary Public in and for said State, personally appeared Mark A. Boys
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person whose name is subscribed to the within instrument and acknowledged to me that
he/she executed the same in his/her authorized capacity, and that by his/her signature on the
instrument the person, or the entity upon behalf of which the person acted, executed the
instrument.

WITNESS my hand and official seal.
Signature Sylvia Valdez

(Seal)

(Seal)



COPY